

6824. Adulteration and misbranding of olive oil. U. S. * * * v. 46 Gallons of Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9328. I. S. No. 13657-r. S. No. E-1118.)

On September 14, 1918, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 46 gallons of olive oil, remaining unsold in the original unbroken packages at Middletown, Conn., alleging that the article had been shipped on or about June 21, 1918, by N. H. Economou and Theodoris [N. P. Economou & Theodos], New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Olio Puro D'Oлива Lucca Tipo Italy."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted almost wholly for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the labels bore certain statements regarding the article which were false and misleading, that is to say, the statement, to wit, "Olio Puro D'Oлива," was intended to be of such a character as to induce the purchaser to believe that the article was pure olive oil, when, in truth and in fact, it was not; and for the further reason that it purported to be a foreign product when, in truth and in fact, it was a product of domestic manufacture packed in the United States; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not marked on the outside of the package in terms of weight, measure, or numerical count.

On December 5, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture*,

6825. Adulteration and misbranding of olive oil. U. S. * * * v. 348 Gallons of Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9329. I. S. No. 13725-r. S. No. E-1119.)

On September 14, 1918, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 348 gallons of olive oil, remaining unsold in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped on or about June 26, 1918, by Crisafulli Brothers, New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Finest Quality Table Oil Lamigliore Brand Insuperable Extra Fine Olive Oil," and in small type before "Extra Fine Olive Oil" the words, "Corn Salad Oil Compound With," and on some cans, "Cotton Salad Oil Compound With."

Adulteration of the article was alleged in the libel for the reason that corn oil had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted almost wholly for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the labels on the cans bore statements regarding the article which were false and misleading, and were intended to be of such a character as to induce the purchaser to believe that the product was olive oil, when, in truth and in fact, it was not; and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On October 15, 1918, the said Crisafulli Brothers, claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimants upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$850, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6826. Adulteration of eggs. U. S. * * * v. 8 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9330. I. S. No. 5901-r. S. No. C-970.)

On August 27, 1918, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 cases of eggs, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about August 21, 1918, by Abraham Amber, trading as A. Amber Produce Co., Kansas City, Kans., and transported from the State of Kansas into the State of Missouri, charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of decomposed eggs.

On September 28, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6827. Adulteration and misbranding of double distilled water. U. S. * * * v. 16 Bottles * * * of Double Distilled Water. Default decree of condemnation, forfeiture, and destruction. Empty containers ordered sold. (F. & D. No. 9331. I. S. No. 5902-r. S. No. C-977.)

On September 17, 1918, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 16 bottles of double distilled water, remaining unsold in the original unbroken packages at Leavenworth, Kans., alleging that the article had been shipped on or about August 21, 1918, by the Eads Water Co., Kansas City, Mo., and transported from the State of Missouri into the State of Kansas, charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Double Distilled Water * * * Eads Water Co. Kansas City, U. S. A."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance.

Misbranding of the article was alleged for the reason that the brand or label on the product was misleading and deceptive, and calculated to induce the purchaser to believe that the product was pure distilled water, whereas, in truth and in fact, it was not.